

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED *for*
RK
APR 16 2008

JOHN F. CORCORAN, CLERK
BY: *HMcDonnell*
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ERNEST SMITH,

Petitioner,

v.

TERRY O'BRIEN, et al.,

Respondents.

)
)
) Case No. 7:08-cv-00135
)
)

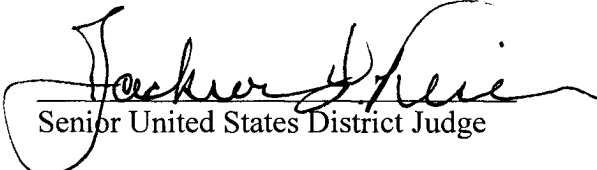
ORDER

)
)
) By: Hon. Jackson L. Kiser
) Senior United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED** and **ADJUDGED** that respondents' motion to dismiss is **GRANTED**; the above referenced petition, pursuant to 28 U.S.C. § 2241, is **DISMISSED**; and this action is **STRICKEN** from the active docket of this court.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to counsel of record for respondents and to petitioner.

ENTER: This 16th day of April, 2008.


Senior United States District Judge